

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X	
RICHARD VACCARIELLO on behalf of	:
himself and all others similarly situated,	:
	:
Plaintiff,	:
	:
- against -	:
	:
XM SATELLITE RADIO INC.,	:
	:
Defendant.	:
----- X	

08 CIV 5336 (CS)

RULE 7.1 STATEMENT OF XM SATELLITE RADIO INC.

Pursuant to Rule 7.1(a) of the Federal Rules of Civil Procedure, the undersigned counsel of record for defendant XM Satellite Radio Inc. ("XM") hereby certifies as follows:


(1) XM Satellite Radio Holdings Inc. ("XM Holdings") is XM's parent company and owns 100% of XM. XM Holdings is a wholly owned subsidiary of Sirius XM Radio Inc.

(2) No other publicly held corporation owns 10% or more of XM's stock, and no other publicly held corporation owns 10% or more of Sirius XM Radio Inc.

Dated: September 2, 2008
New York, New York

Respectfully submitted,

SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP

By: 

Kenneth A. Plevan

Kenneth.Plevan@skadden.com

Jeffrey A. Mishkin

Jeffrey.Mishkin@skadden.com

Anthony J. Dreyer

Anthony.Dreyer@skadden.com

Four Times Square

New York, NY 10036

(212) 735-3000

Attorneys for Defendant
XM Satellite Radio Inc.